

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

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| <p>SMARTMATIC USA CORP., SMARTMATIC INTERNATIONAL HOLDING B.V., and SGO CORPORATION LIMITED, v. MICHAEL J. LINDELL and MY PILLOW, INC., Defendants.</p> | <p>Plaintiffs, Case No. 22-cv-0098-JMB-JFD</p> |
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[PROPOSED] ORDER

Having considered Smartmatic's Motion for Partial Summary Judgment and supporting papers, all responsive and reply papers, and arguments from counsel, IT IS HEREBY ORDERED this ____ day of _____, 2025 that:

Summary judgment is GRANTED to Smartmatic on the following elements of its defamation claim against Defendants Michael J. Lindell and MyPillow, Inc.:

- (a) Defendants published the Defamatory Publications;
- (b) Defendants' Defamatory Publications were "of and concerning" Smartmatic;
- (c) Defendants' Defamatory Publications were false;
- (d) Defendants' Defamatory Publications constitute defamation *per se*; and
- (e) MyPillow, Inc. is vicariously liable for the tortious conduct of Lindell.

Summary judgment is GRANTED to Smartmatic on Defendants' liability for violation of the Minnesota Deceptive Trade Practices Act, MSA § 325D.44(8).

The Honorable Jeffery M. Bryan